

January 11, 2026

VIA ELECTRONIC & PHYSICAL DELIVERY

City of Miami Beach Historic Preservation Board

Michael Belush, Planning & Design Officer
City of Miami Beach Planning Department
1700 Convention Center Drive, 2nd Floor
Miami Beach, Florida 33139

**Re: Final Submittal / Letter of Intent for Historic Preservation Board Application
HPB25-0676 (the “Application”) / Property at 2201 Collins Avenue (Folio No. 02-
3234-218-0001), Miami Beach, Florida (the “Property”)**

Dear Chairperson and Historic Preservation Board Members:

Our firm represents 2201 Collins Propco, LLC (the “**Applicant**”) in connection with land use and zoning matters pertaining to the Property. Please accept this correspondence as the Applicant’s Letter of Intent in support of requests for a Certificate of Appropriateness and three (3) variance approvals for the renovation and enhancement of the existing W Hotel (the “**Hotel**”). The proposed improvements include the introduction of a patisserie, a private members-only club, a new beach club restaurant, and upgrades to valet operations, including a dedicated members-only drop-off entrance along the North property. Concurrently, the Applicant has submitted Planning Board Application No. PB25-0793 seeking to modify the existing Conditional Use Permit to reflect renovations to the ground-level Neighborhood Impact Establishment uses, and to update the corresponding occupancy limits, hours of operation, and valet operations associated with those uses.

I. The Property

Based on the boundary survey prepared by Atwell, the Property contains approximately +/- 168,300 square feet (+/- 3.864 acres) and is presently improved with the W Hotel. The Property fronts 22nd Street to the South, Collins Avenue to the West, the beach walk along 23rd Street to the North, and the public boardwalk and Atlantic Ocean to the East. The Property is zoned High Density Multi-Family Residential (RM-3) and is located within the Collins Waterfront Local Historic District, the Oceanfront Overlay District, and the Dune Preservation Overlay District. Pursuant to the use table in Section 7.2.6.2 of the City’s Resiliency Code, the RM-3 zoning designation permits a wide range of uses, whether as-of-right, accessory, or conditional, including apartment, hotel, commercial, eating and drinking, retail, personal service, and Neighborhood Impact Establishment uses.



Image: Aerial – Miami-Dade County Property Appraiser

The existing Hotel consists of two 19-story towers containing a mix of condominium and hotel units, as well as food and beverage venues, entertainment, retail space, a ballroom and meeting rooms, and pool and beach amenity areas. The hotel features 407 condominium units, comprising of a mix of hotel units and apartment units. The proposed Project (as defined herein and discussed further below) does not include any significant demolition of existing principal structures on the Property. Instead, it seeks to enhance and reprogram portions of the existing hotel with new amenities, upgraded valet operations, and improved vehicular circulation, all designed to complement the architectural character of the existing hotel and surrounding historic district context.

II. The Project – Certificate of Appropriateness

The Applicant respectfully requests a Certificate of Appropriateness for renovations and enhancements to the existing Hotel, including the introduction of a new patisserie, a private members-only club and lounge, a beach club restaurant, and a comprehensive traffic and parking circulation plan designed to improve guest and operation flow. As illustrated in the plans prepared by Nichols Architects, dated December 14, 2025 (the “**Updated Plans**”), the proposed development redistributes indoor and outdoor seating among the existing food and beverage venues, introduces the patisserie located at the Southeast corner of the Hotel, a beach club restaurant located at the Northeast corner of the Property, a private members-only club and lounge, and refines vehicular access and valet operations to better serve the Hotel’s patrons and surrounding community (the “**Project**”). Specifically, the Project proposes the following programmatic elements:

- New Patisserie: 85 interior occupancy, 88 exterior occupancy, total of 173 occupancy.
- New Beach Club Restaurant: 0 interior occupancy, 237 exterior occupancy – 237 total occupancy.
- New Private Members-Only Club: 183 interior occupancy, 124 exterior occupancy, 307 total occupancy.
- New Members-Only Entrance along the North property line.

- Enhanced valet operations and circulation improvements to better accommodate Hotel guests, residents, and visitors, and to improve overall vehicular efficiency across the Property.

The proposed modifications are designed to elevate the guest experience while maintaining sensitivity to the architectural integrity of the existing structures and the surrounding Collins Waterfront Local Historic District. The new patisserie will serve as a vibrant, all-day venue offering a casual breakfast and coffee option that activates the Hotel's ground floor along the lobby area, providing visual interest and pedestrian engagement along the streetscape. The new beach club restaurant will activate the Northeastern portion of the Property adjacent to the boardwalk, transforming an underutilized area into a thoughtfully designed outdoor gathering space that enhances the connection between the Hotel and the beachfront, while maintaining open sightlines and preserving the natural dune and coastal character.

The new private members-only club will provide an exclusive social and dining environment for Hotel guests and members, complementing the Property's existing hospitality offerings. The club is designed with a refined, intimate scale that integrates seamlessly into the existing architectural framework. Controlled membership access will ensure limited intensity of use and minimal external impacts, while further positioning the Property as a premier destination for visitors and residents. The reconfigured traffic circulation plan, including a dedicated members-only drop-off entrance along the North property line, is intended to alleviate congestion along Collins Avenue and 22nd Street and streamline valet operations. Public access providing direct beach access is located within the Property boundaries along the Northern property line. This access serves as a pedestrian walkway, functioning as a sidewalk for public use and connecting the adjacent public areas and Property to the beachfront.

All parking operations will remain internal and on-site. The Property will continue to operate as valet-only, with no self-parking component. This ensures that vehicular access remains orderly, contained within the Property boundaries, and minimally disruptive to adjacent public rights-of-way. Collectively, these improvements will strengthen the Property's functionality, ensure operational efficiency, and support the continued success of the Property's existing Neighborhood Impact Establishment uses. To bring the Project to life, several variances are required, as further detailed in Section III, below.

III. Variance Requests

As part of this Project, the Applicant is requesting the following variances:

- **Variance #1:** A variance from Section 7.3.1.1.d.2, Resiliency Code, to permit a continuous deck of approximately 1,598 square feet in size where 400 square feet is the maximum permitted, without additional spacing, within the Dune Preservation Overlay (the "**Beach Deck Variance**");
- **Variance #2:** A variance from Section 7.3.1.2.b.3, Resiliency Code, to **(A)** permit an ADA ramp and elongated stairs to be setback 0' from the bulkhead line, within the Oceanfront Overlay, for a length of 70'-6", where 10' is the minimum setback required, and to **(B)**

permit an encroachment 0' from the bulkhead line, within the Oceanfront Overlay, for a length of 61'-8", where 10' is the minimum setback required (collectively, the "**Ocean Overlay Setback Variance**"); and

- **Variance #3:** A variance from Section 7.3.1.1.c.1, Resiliency Code, to permit a trellis with a clearance of 10', where 8' is the maximum clearance permitted (the "**Trellis Clearance Variance**").

Collectively, the Beach Deck Variance, the Ocean Overlay Setback Variance, and the Trellis Clearance Variance are referred to herein as the "**Variations**". The Variations are necessary to facilitate the thoughtful design and placement of a new beach club restaurant at the Northeastern corner of the Property and pool bar adjacent to the pool deck. The proposed beach club restaurant will transform an underutilized and largely inactive portion of the Property into a carefully designed outdoor gathering space that strengthens the physical and visual connection between the Hotel and the beachfront. The design prioritizes openness, transparency, and sensitivity to the surrounding dune system and coastal environment.

The beach deck will be elevated to minimize disturbance to the existing dune environment and allow for natural sand movement and drainage. By lifting the structure, the design respects the dune environment while providing a durable, resilient foundation for the beach club restaurant. Architecturally, the deck incorporates a central notch oriented toward the public boardwalk. This intentional design breaks down the overall massing of the deck and frames views between the deck and the ocean. The notch creates a sense of movement within the space and will be landscaped with pervious, stabilized sand, further reducing impacts to native coastal vegetation. Although Section 7.3.1.1.d.2 of the Resiliency Code limits continuous decks within the Dune Preservation Overlay to 400 square feet, the proposed deck area of approximately 1,598 square feet is necessary to achieve these environmental and design objectives. The continuous deck allows the structure to be elevated and consolidated into a single platform, rather than broken into multiple smaller decks that would require additional footings, interruptions to the dune system, and increased disturbance to native vegetation.

The trellis serves as a defining architectural element and acts as a visual anchor for the beach club restaurant. The trellis establishes a clear sense of place and enclosure without creating a solid or enclosed mass. Its open, slatted ceiling design allows filtered natural light and ocean breezes to pass through, providing shade while maintaining openness to the surrounding environment. This design avoids visual heaviness and remains consistent with the character of a coastal environment. The additional two (2) feet of vertical clearance allows for improved air circulation and ventilation beneath the trellis, which is particularly important in beachfront and dune environments where natural airflow plays a critical role in occupant comfort and environmental performance. The increased clearance reduces heat buildup and allows ocean breezes to move freely through the space, which minimizes the need for mechanical cooling or enclosure of the beach deck restaurant.

An ADA-accessible ramp is located along the Eastern edge of the proposed beach deck to ensure equal and dignified access to the beach club restaurant for all guests. Due to required slope, landing, and maneuvering clearances, the ramp must extend along this edge of the deck, providing

for a setback of 0' within the Oceanfront Overlay. There is no reasonable alternative location that would meet ADA requirements while also maintaining safe circulation. The staircases adjacent to the ADA ramp are gently sloped and elongated to prioritize comfort and integration with the deck. Rather than functioning as conventional, steep stair runs, these staircases are intentionally low in rise and extended in length, which allows the stairs to maintain a seamless flow between grade and the elevated beach deck. The ADA ramp and elongated staircase associated with Variance 2(a) encroach into the required setback along approximately 70'-5½" of the Property's total 300' width. Accordingly, the remaining 229'-6½" of the Property frontage (representing approximately 77% of the total Property width) fully complies with the applicable setback requirements. Part 2(b) of the Ocean Overlay Setback Variance involves an encroachment along approximately 61'-8" of the same 300-foot Property width, adjacent to the pool bar. When the encroachments associated with variances 2(a) and 2(b) are considered together, the total length of the encroachment equals approximately 132'-1½" of the Property's total 300' width. As a result, approximately 167'-10½" (representing 56% of the total Property width) continues to provide the required setback.

Together, the Variances allow for a cohesive and environmentally sensitive design that enhances the Property and activates the beachfront in a controlled and thoughtful manner. Section 2.8.3.a of the Resiliency Code delineates the standards of review for a variance application. Specifically, a variance shall be approved upon demonstration of the following:

- i. *Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.*

Satisfied; The Property's unique beachfront location creates spatial conditions not shared by typical RM-3 parcels. The Property spans from Collins Avenue to the Atlantic Ocean, incorporating both urban and coastal frontages within a single site. The Northeast portion of the Property currently lacks meaningful activation, in contrast to other oceanfront hotels where active decks and dining options are integral to the guest experience. These site-specific conditions, including the Property's irregular oceanfront configuration and established dune line, are peculiar to the Property and warrant reasonable accommodation to support modern hospitality programming without encroaching on the dune system.

- ii. *The special conditions and circumstances do not result from the action of the applicant.*

Satisfied; The need for the Variances arises from existing site design constraints, which were built long before the Applicant purchased the Property. The Applicant did not create these conditions. Rather, the Property's existing structural footprint and dune setback line pre-date the Applicant's proposed improvements. The Variances are necessitated by the inherent physical characteristics of the Property, not by any self-created hardship or action by the Applicant.

- iii. *Granting the variance requested will not confer on the applicant any special privilege that is denied by these land development regulations to other lands, buildings, or structures in the same zoning district.*

Satisfied; The requested Variances will not confer any special privilege on the Applicant, that would be otherwise denied to similarly situated properties within the same zoning district. Several nearby oceanfront hotels and properties within the RM-3 district feature comparable outdoor decks, trellises, and dining areas adjacent to the boardwalk. Approval of these requests will not grant any special privilege, but rather equalizes the Property's ability to offer outdoor guest amenities comparable to those of similarly situated oceanfront properties along Collins Avenue. The requested Variances allow the Property to introduce a functional and appropriately scaled beach club restaurant consistent with the intent of the Dune Preservation and Oceanfront Overlays, which is to protect natural areas while allowing limited, compatible uses.

- iv. *Literal interpretation of the provisions of these land development regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these land development regulations and would work unnecessary and undue hardship on the applicant.*

Satisfied;

Beach Deck Variance: A literal application of the 400-square-foot deck limitation would effectively preclude any meaningful activation of the Hotel's beachfront frontage, depriving the Applicant of a use that is customarily associated with oceanfront hotels along Collins Avenue. The inability to accommodate adequate outdoor dining and seating areas along the beach would result in a functional hardship that undermines the Property's competitiveness, guest experience, and operational efficiency compared to other hotels located along Collins Avenue and within the Dune Preservation Overlay. The requested relief will allow the Applicant to utilize a modest portion (1,598 square feet) of its extensive oceanfront area located within the Dune Overlay (10,985 square feet) while maintaining full compliance with all other dune protection and open-space standards.

Trellis Clearance Variance: A literal interpretation of the Resiliency Code's trellis clearance limitation would deprive the Applicant of rights commonly enjoyed by other properties within the same zoning district, particularly the ability to provide functional, open-air shade structures that are appropriately scaled for coastal conditions. Strict enforcement of the 8' clearance in this context would unnecessarily constrain the design of an otherwise non-enclosed trellis, forcing a lower, more visually compressed structure that would be less effective in regulating heat within the beach club restaurant.

Ocean Overlay Setback Variance: A literal interpretation of the setback provisions of the Resiliency Code would deprive the Applicant of rights commonly enjoyed by other properties within the same zoning district. Namely, the ability to provide code-compliant, accessible means of entry to beachfront amenities. Strict application of the 10' setback requirement within the Oceanfront Overlay would effectively preclude the placement of a compliant ADA ramp and integrated stair system, or would require steeper slopes, unsafe circulation, or fragmented access that would be inconsistent with ADA standards. As applied to the Property, the 10' setback requirement therefore imposes an unnecessary and undue hardship by preventing the provision of equitable access to an

elevated deck in a coastal environment where elevation changes are inherent and unavoidable.

- v. *The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.*

Satisfied;

Beach Deck Variance: The requested Beach Deck Variance represents the minimum area necessary to accommodate safe circulation, accessibility, and reasonable seating for the beach club restaurant. Relative to the size of the Property, the design remains substantially small, and it has been carefully located to minimize environmental impacts. The proposed deck area is the minimum relief necessary to enable a functional and contextually appropriate activation of the beachfront portion of the Property. A strict application of the 400 square foot limitation would require a design with several, elevated decks, which would result in unsafe conditions and accessibility issues for Hotel patrons.

Trellis Clearance Variance: The requested Trellis Clearance Variance represents the minimum variance necessary to make possible the reasonable use of the Property and the trellis structure. The proposed increase in clearance (from 8' to 10') is modest in scale and limited solely to vertical clearance, without increasing the footprint, massing, or enclosure of the structure. This additional two (2) feet is the minimum height required to achieve adequate airflow and openness in a beachfront and dune environment, while maintaining the trellis's open, permeable, and non-enclosed character.

Ocean Overlay Setback Variance: The requested Ocean Overlay Setback Variance represents the minimum variance necessary to make possible the reasonable use of the Property and the proposed beach club restaurant improvements. The limited setback encroachment is confined solely to circulation and access elements (i.e., ADA-accessible ramp and associated elongated staircase) that are functionally required to provide safe access between grade and the elevated beach deck within a dune-adjacent environment. The ADA ramp and elongated staircase encroachment only affects approximately 70'-5½" of the Property's total 300' width, while the remaining seventy-seven percent (77%) of the Property width fully complies with the applicable Ocean Overlay setback requirements. Note that, when the encroachments associated with variances 2(a) and 2(b) are considered together, the total length of the encroachment equals approximately 132'-1½" of the Property's total 300' width. As a result, approximately 167'-10½" (representing 56% of the total Property width) continues to provide the required setback.

- vi. *The granting of the variance will be in harmony with the general intent and purpose of these land development regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.*

Satisfied; The Variances are consistent with the spirit and intent of the Resiliency Code, the Dune Preservation Overlay, and the Oceanfront Overlay, which aim to protect natural coastal systems while supporting responsible, resilient design. The Project will enhance

public views, promote pedestrian activity along the boardwalk, and strengthen the Property's integration with the surrounding Dune environment. Accordingly, the Variances will not be injurious to the area or detrimental to the public welfare, but rather will improve the guest and pedestrian environment in a manner consistent with City goals for sustainable tourism and design excellence.

- vii. *The granting of this request is consistent with the comprehensive plan and does not reduce the levels of service as set forth in the plan.*

Satisfied; The proposed improvements are consistent with the City of Miami Beach Comprehensive Plan. The Project encourages the enhancement of resort and tourism uses, activates beachfront areas, and preserves the City's unique coastal environment. The Project complies with all open-space requirements and does not adversely affect any adopted level of service standard. Therefore, granting of the Variances is consistent with the Comprehensive Plan and supports its overarching goals of resiliency, sustainability, and economic vitality.

IV. Practical Difficulties Criteria

Pursuant to Article I, Section 2 of Subpart B of the City Charter, a variance may be granted where practical difficulties or unnecessary hardships exist. The term "practical difficulties" refers to conditions of the land in question.¹ Though no one factor is determinative as to whether a variance should be granted², relevant factors to be considered in determining whether sufficient practical difficulties exist include: (1) how substantial the requested variance is; (2) whether the variance will result in a substantial change to the character of the neighborhood or create a substantial detriment to adjoining properties; (3) whether the [condition] can be cured by some method other than the granting of a variance; and (4) whether, in light of the manner in which the [condition] arose and considering all relevant factors, the interests of justice will be served by granting the variance.³ Here, the relevant factors are present to determine that a practical difficulty exists.

Beach Deck Variance: The Beach Deck Variance meets the practical difficulty standard due to the unique environmental and physical conditions of the Property, which is located within a coastal, dune environment. Strict application of the maximum 400 square foot, continuous deck limitation would require the deck to be fragmented into smaller platforms, resulting in additional footings, and a greater disruption to the dune system. The Beach Deck Variance is not substantial in its effect, as the deck remains open, elevated, and visually articulated through a central notch that breaks down massing. Of the 10,985 square feet of the Property located within the Dune Preservation Overlay, the deck is only 1,598 square feet in size, representing a modest area relative to the size of the Property.

¹ See State ex rel. Brantum v. Bd. of Zoning Adjustment of City of Kansas City, Mo., 85 S.W.3d 35, 41 (Mo. Ct. App. 2002).

² See Duncan v. Village of Middlefield, 491 N.E.2d 692, 695 (1986).

³ See *again* State ex rel. Brantum.

Trellis Clearance Variance: The Trellis Clearance Variance meets the practical difficulty standard due to the coastal location of the Property and the functional requirements of an open-air beachfront structure. A literal application of the eight (8) foot clearance limitation would result in a compressed, less effective trellis that restricts airflow, increases heat retention, and undermines the open character intended for the space. In a dune and beachfront environment, natural ventilation and openness are critical to usability and environmental performance, particularly by reducing heat within the beach club restaurant. The requested two (2) foot increase in clearance is modest and does not increase beach club restaurant footprint or intensity. The trellis remains fully open, consistent with the character of the surrounding beachfront, and compliant with the maximum height limitation of 12’.

Ocean Overlay Setback Variance: The Ocean Overlay Setback Variance satisfies the practical difficulty standard due to the dune elevation changes and accessibility requirements associated with development. The Property’s location and topography necessitate an elevated deck, which in turn requires an ADA-compliant ramp to provide equal and safe access for all patrons. Due to mandatory slope, landing, and maneuvering requirements, the ramp and associated elongated staircases must extend along a limited portion of the Property edge, resulting in a localized setback encroachment. The ADA ramp and elongated staircase encroachment, associated with Variance 2(a), is modest and confined to approximately 70’-5½” of the Property’s total 300’ frontage, while the remaining seventy-seven percent (77%) of the frontage fully complies with the Ocean Overlay setback requirements. The circulation elements are low-profile and open, and do not create adverse impacts to neighboring properties. There is no reasonable alternative that would allow for ADA-compliant access while maintaining safe circulation and minimizing dune impacts. Part 2(b) of the Ocean Overlay Setback Variance involves an encroachment along approximately 61’-8” of the same 300-foot Property width, adjacent to the pool bar. When the encroachments associated with Variances 2(a) and 2(b) are considered together, the total length of the encroachment equals approximately 132’-1½” of the Property’s total 300’ width. As a result, approximately 167’-10½” (representing 56% of the Property width) continues to provide the required setback.

In light of these circumstances, we respectfully request favorable consideration for the Variances to permit a thoughtfully designed outdoor gathering space that enhances the connection between the Hotel and the beachfront, while preserving the natural dune and coastal character.

V. Sea Level Rise and Resiliency Review Waiver

Section 7.1.2.4.a of the Resiliency Code provides review criteria for compliance with the City’s sea level rise and resiliency criteria.

i. A recycling or salvage plan for partial or total demolition shall be provided.

The Applicant will provide a recycling or salvage plan prior to the submittal of a building permit, as may be necessary. Please refer to the Plans for the detailed scope plans limited to the existing buildings on the Property.

ii. *Windows that are proposed to be replaced shall be hurricane proof impact windows.*

All windows for the Project will be hurricane proof resistant.

- iii. *Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.***

Passive cooling systems, such as the trellis, will be installed to provide a slatted, open structure, lowering surface temperatures without blocking daylight entirely.

- iv. *Resilient landscaping (salt tolerant, highly water-absorbent, native, or Florida-friendly plants) shall be provided, in accordance with Chapter 4 of the Resiliency Code.***

The Project will include resilient landscaping, in accordance with Chapter 4 of the Resiliency Code.

- v. *The project applicant shall consider the adopted sea level rise projections in the Southeast Florida Regional Climate Action Plan, as may be revised from time-to-time by the Southeast Florida Regional Climate Change Compact. The applicant shall also specifically study the land elevation of the subject property and the elevation of surrounding properties.***

Project will evaluate Southeast Florida Regional Climate Action Plan.

- vi. *The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public rights-of-way and adjacent land, and shall provide sufficient height and space to ensure that the entry ways and exits can be modified to accommodate a higher street height of up to three additional feet in height.***

The beach club restaurant features an elevated deck, minimizing impacts on the dune environment. All existing structures remain in their current condition.

- vii. *As applicable to all new construction, all critical mechanical and electrical systems shall be located above base flood elevation. All redevelopment projects shall, whenever practicable and economically reasonable, include the relocation of all critical mechanical and electrical systems to a location above base flood elevation.***

The critical mechanical systems are located on the roof of the building, with landscaping and appropriate screening concealing the equipment from view.

- viii. *Existing buildings shall, wherever reasonably feasible and economically appropriate, be elevated up to base flood elevation, plus City of Miami Beach Freeboard.***

As part of the Project, the existing structures will remain as-is, with no plans to be demolished or altered.

- ix. ***When habitable space is located below the base flood elevation plus City of Miami Beach Freeboard, wet or dry flood proofing systems will be provided in accordance with chapter 54 in General Ordinances.***

Habitable spaces located below BFE plus City of Miami Beach Freeboard will be wet or dry flood proofed in accordance with Chapter 54 in General Ordinances.

- x. ***As applicable to all new construction, stormwater retention systems shall be provided.***

Applicant will work with staff on appropriate water retention systems as applicable and appropriate for the Project.

- xi. ***Cool pavement materials or porous pavement materials shall be utilized.***

As reflected in the landscape sheets included in the Plans, the Project will utilize previous, stabilized sand.

- xii. ***The design of each project shall minimize the potential for heat island effects on-site.***

The design of the Project will minimize the potential for heat island effects on-site through lush landscaping.

VI. Project Cost Estimates

Based on current market evaluations, the Project's estimated construction costs are approximately \$100,000,000. The provided estimate of construction costs may be subject to change based on pending entitlement approvals, construction documents, proposals from contractors/subcontractors, etc.

VII. Conclusion

The Applicant is requesting a Certificate of Appropriateness and approval of the Variances for the renovation and enhancement of the existing W Hotel. Based on the foregoing, we respectfully request your favorable consideration and approval of this Application and Project.

Sincerely,



Alfredo J. Gonzalez, Esq.

cc: David J. Butter, Esq.